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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA, STATES
OF CALIFORNIA, COLORADO,
CONNECTICUT, DELAWARE, FLORIDA,
GEORGIA, HAWAII, ILLINOIS, INDIANA,
IOWA, LOUISIANA, MICHIGAN,
MINNESOTA, MONTANA, NEVADA, NEW
JERSEY, NEW MEXICO, NEW YORK,
NORTH CAROLINA, OKLAHOMA, RHODE
ISLAND, TENNESSEE, TEXAS,
VERMONT, AND WASHINGTON; THE
COMMONWEALTHS OF
MASSACHUSETTS AND VIRGINIA; and
THE DISTRICT OF COLUMBIA,

ex rel. ZACHARY SILBERSHER,

Plaintiffs,

vs.

JANSSEN BIOTECH, INC., JANSSEN
ONCOLOGY, INC., JANSSEN RESEARCH
& DEVELOPMENT, LLC, JOHNSON &
JOHNSON, and BTG INTERNATIONAL

Defendants.

Civil Action No. 19-12107 (KM)(ESK)

Hon. Kevin McNulty, U.S.D.J.

Return Date: TBD

(Oral Argument Requested)

Document Electronically Filed

**NOTICE OF JOINT MOTION TO
DISMISS BY DEFENDANTS
JANSSEN BIOTECH, INC., JANSSEN
ONCOLOGY, INC., JANSSEN
RESEARCH & DEVELOPMENT,
LLC, JOHNSON & JOHNSON, and
BTG INTERNATIONAL LIMITED**

PLEASE TAKE NOTICE Defendants Janssen Biotech, Inc., Janssen Oncology, Inc., Janssen Research & Development, LLC, Johnson & Johnson, and BTG International Limited (collectively, "Defendants"), by and through their undersigned attorneys, will move before the Honorable Kevin McNulty, U.S.D.J., United States District Court for the District of New Jersey, Lautenberg U.S. Post Office & Courthouse, Federal Square, Courtroom 4, Newark, New Jersey

07101, on a date to be set by the Court for an Order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the Second Amended Complaint with prejudice.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendants will rely on the accompanying Memorandum in Support of Defendants' Joint Motion to Dismiss Second Amended Complaint with Appendices, Request for Judicial Notice with Exhibits, and all pleadings and proceedings on file.

PLEASE TAKE FURTHER NOTICE that a Proposed form of Order is being submitted herewith.

PLEASE TAKE FURTHER NOTICE that Defendants hereby request oral argument.

Dated: April 6, 2021

SILLS CUMMIS & GROSS P.C.

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Respectfully submitted,

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